



**US Army Corps
of Engineers.**

Nashville District

Public Notice

Public Notice No. 05-67

Date: September 21, 2005

Application No. 2003-01199

Expiration: October 21, 2005

Please address all comments to:
Nashville District Corps of Engineers, Regulatory Branch
3701 Bell Road, Nashville, TN 37214

JOINT PUBLIC NOTICE US ARMY CORPS OF ENGINEERS AND TENNESSEE VALLEY AUTHORITY

SUBJECT: Proposed Stream Encapsulation, Relocation, and Wetland Fill of an Unnamed Tributary at Mile 0.9, a Tributary to Beaver Creek Mile 43.5R, in Association with Proposed Construction of Gibbs Elementary School in Knox County, Tennessee

TO ALL CONCERNED: The application described below has been submitted for a Department of the Army Permit pursuant to **Section 404 of the Clean Water Act (CWA)**. Before a permit can be issued, certification must be provided by the state of Tennessee, Division of Water Pollution Control, pursuant to Section 401(a)(1) of the CWA, that applicable water quality standards will not be violated. The applicant has been advised to apply to TDEC for the required certification.

APPLICANT: **Knoxville Community Development Corp**
c/o Mr. Doug Whitted, Knox County Schools
P.O. Box 2188
Knoxville, Tennessee 37901

LOCATION: Unnamed Tributary at Mile 0.9, a Tributary to Beaver Creek Mile 43.5R, Opposite Clinch River Mile 39.5R, Knox County, Tennessee; lat N36°7'39", lon W83°51'20", Graveston, Tennessee Quadrangle

DESCRIPTION: The applicant proposes to construct a new Gibbs Elementary School on a 69-acre tract of land located west of Tazewell Pike, directly across from the existing Gibbs High School. Construction of the elementary school building, grounds and roadways would involve stream encapsulation/relocation and wetland fill. The west (back) side of this tract is also the future site of the proposed Gibbs Middle School.

Plans of the proposed work are attached to this notice.

The proposed work is as follows:

a. Stream Encapsulation and Wetland Fill (Entrance-Road Crossing)

An entrance road providing access to the proposed elementary school would also provide access to the future Gibbs Middle School site, which is proposed on the west side of the tributary. In order to provide access to the future site, the applicant proposes to extend the entrance road across an unnamed perennial tributary and wetland, which would result in 0.02 acres of fill within a 0.1-acre wetland. The roadway would cross 10' of the wetland and have a 54" reinforced concrete pipe (RCP) culvert that would extend 80' the length of the tributary and wetland. The roadway would be 25' wide for two-way traffic. The applicant proposes onsite mitigation adjacent to the impacted wetland on a 4:1 ratio, rendering a 0.08-acre increase. A complete mitigation plan and schematic will be submitted at a later date.

b. Stream Relocation

In order to construct the school building, grounds and interior road/parking lot, the applicant proposes to relocate 1,452 linear feet (lf) of the same 2,000' unnamed tributary. Relocation would begin downstream of the wetland/stream crossing just out of the wetland boundary. The applicant proposes to mitigate for the stream loss by creating 1,453' lf of stream approximately 200' west of the existing location. The new channel would be located at a higher elevation and require a deeper cut to maintain the existing grade. It would be approximately 6-8' wide with a 1'-2' flow width and 8' deep with 3:1 side slopes, consisting of meanders and shelving to mimic the existing channel characteristics and functions. It would be constructed in the dry with an earthen berm plug at each end until it is completed and stabilized prior to flow diversion. The existing channel would be filled with approximately 32,800 cubic yards of fill material from onsite excavation to gain the additional space needed for development. Mitigation would also include planting vegetative buffers consisting of native ball and burlap trees and shrubs. The stream and wetland mitigation sites would be monitored bi-annually for three years, for a 75% survival rate.

The decision whether to issue a permit will be based on an evaluation of the probable impacts including cumulative impacts of the activity on the public interest. That decision will reflect the national concern for both protection and utilization of important resources. The benefit, which reasonably may be expected to accrue from the work, must be balanced against its reasonably foreseeable detriments. All factors which may be relevant to the work will be considered including the cumulative effects thereof; among those are conservation, economics, aesthetics, general environmental concerns, wetlands, cultural values, fish and wildlife values, flood hazards, floodplain values, land use, navigation, shore erosion and accretion, recreation, water supply and conservation, water quality, energy needs, safety, food and fiber production, mineral needs, considerations of property ownership, and, in general, the needs and welfare of the people. In addition, the evaluation of the impact of the activity on the public interest will include application of the guidelines promulgated by the Administrator, Environmental Protection Agency, under authority of Section 404(b)(1) of the CWA (40 CFR Part 230).

A permit will be granted unless the District Engineer determines that it would be contrary to the public interest.

The Corps of Engineers is soliciting comments from the public; federal, state, and local agencies and officials; Indian Tribes; and other interested parties in order to consider and evaluate the impacts of this proposed activity. Any comments received will be considered by the Corps of Engineers to determine whether to issue, modify, condition, or deny a permit for this proposal. To make this decision, comments are used to assess impacts on endangered species, historic properties, water quality, general environmental effects, and the other public interest factors listed above. Comments may be used in the preparation of an Environmental Assessment and/or an Environmental Impact Statement pursuant to the National Environmental Policy Act. Comments may also be used to determine the need for a public hearing and to determine the overall public interest of the proposed activity. An Environmental Assessment will be prepared by this office prior to a final decision concerning issuance or denial of the requested Department of the Army Permit.

The National Register of Historic Places has been consulted and no properties listed in or eligible for the National Register are known which would be affected by the proposed work. An archaeological survey was completed August 10, 2005, with no previously-recorded archaeological resources noted. There were no properties listed, or eligible for inclusion on the National Register of Historic Places. The Tennessee Historical Commission responded to the survey findings by letter dated August 15, 2005. They concur that, based on the information provided, the project area contains no archaeological resources eligible for listing in the national Register of Historic Places and that they had no objections to the commencement of the undertaking. Copies of this notice are being sent to the office of the State Historic Preservation Officer.

Based on available information, the proposed work will not destroy or endanger any federally-listed threatened or endangered species or their critical habitats, as identified under the Endangered Species Act. Therefore, we have reached a no effect determination, and initiation of formal consultation procedures with the U.S. Fish and Wildlife Service is not planned at this time.

Other federal, state, and/or local approvals required for the proposed work are as follows:

- a. Tennessee Valley Authority (TVA) approval under Section 26a of the TVA Act. In addition to other provisions of its approval, TVA would require the applicant to employ best management practices to control erosion and sedimentation, as necessary, to prevent adverse aquatic impacts.
- b. Water quality certification from the State of Tennessee is required in accordance with Section 401(a)(1) of the Clean Water Act.

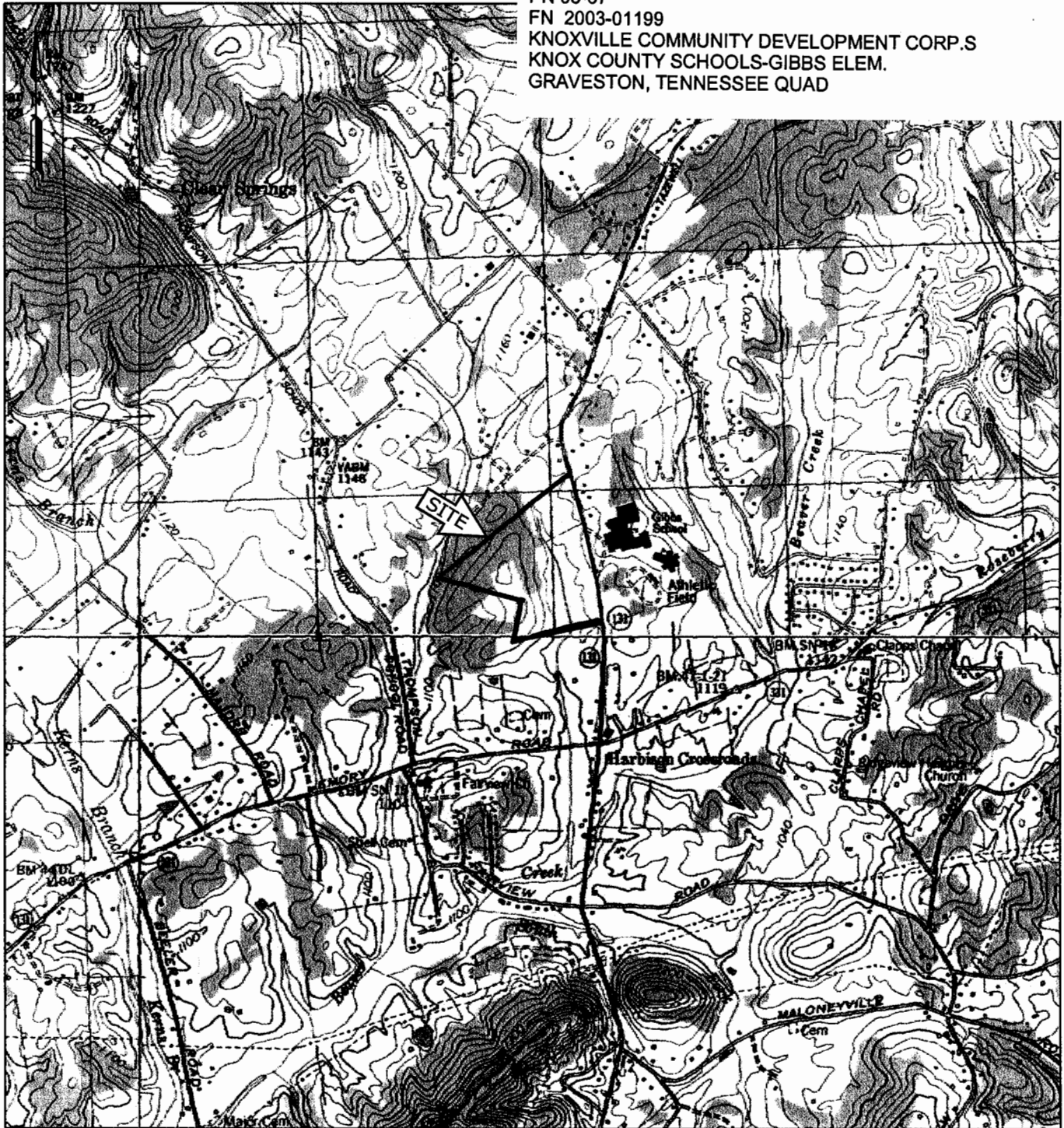
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Any person may request, in writing, within the comment period specified in this notice, that a public hearing be held to consider this application. Requests for public hearings shall state, with particularity, the reasons for holding a public hearing.

Written statements received in this office on or before **October 21, 2005** will become a part of the record and will be considered in the determination. Any response to this notice should be directed to the Regulatory Branch, Attention: Ms. Deborah T. Tuck, at the above address, telephone (615) 369-7518. It is not necessary to comment separately to TVA since copies of all comments will be sent to that agency and will become part of their records. Questions may be directed to the TVA point of contact, Ms. Tiffany Foster, TVA Watts Bar-Clinch Watershed Team, 260 Interchange Park Drive, (LCB 1A-LCT), Lenoir City, Tennessee 37772-5664. Please direct any questions relative to the §401 Water Quality Certification to Mr. Dan Eagar, Tennessee Division of Water Pollution Control, 7th Floor, L&C Annex, 401 Church Street Nashville, Tennessee 37243-1534, telephone (615) 532-0625.

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 KNOXVILLE COMMUNITY DEVELOPMENT CORP.S
 KNOX COUNTY SCHOOLS-GIBBS ELEM.
 GRAVESTON, TENNESSEE QUAD



SOURCE: USGS TOPOGRAPHIC MAPS OF GRAVESTON AND JOHN SEVIER, TN QUADRANGLES.



MACTEC Engineering and Consulting of Georgia, Inc.
 1725 Louisville Drive
 Knoxville, Tennessee 37921-5904
 865-588-8544 • Fax: 865-588-8026


FIGURE 1: SITE LOCATION MAP
 PROPOSED GIBBS ELEMENTARY
 CORRYTON, TENNESSEE

DRAFTING BY:	PREPARED BY:	CHECKED BY:
JOB NUMBER:	DATE:	SCALE:
3031052040/0001	MAY 16, 2005	0 2000'

COORDINATES: N 36° 39' 30"
 W 83° 51' 30"



LEGEND

WETLANDS MITIGATION AREA KNOX COUNTY SCHOOLS - GIBBS ELEMENTARY KNOXVILLE, TENNESSEE		COORDINATES 300'	
DRAFTING BY: 	PREPARED BY:	CHECKED BY:	SCALE:
JOB NUMBER: 3031053000/0001	DATE: AUGUST 18, 2005		0

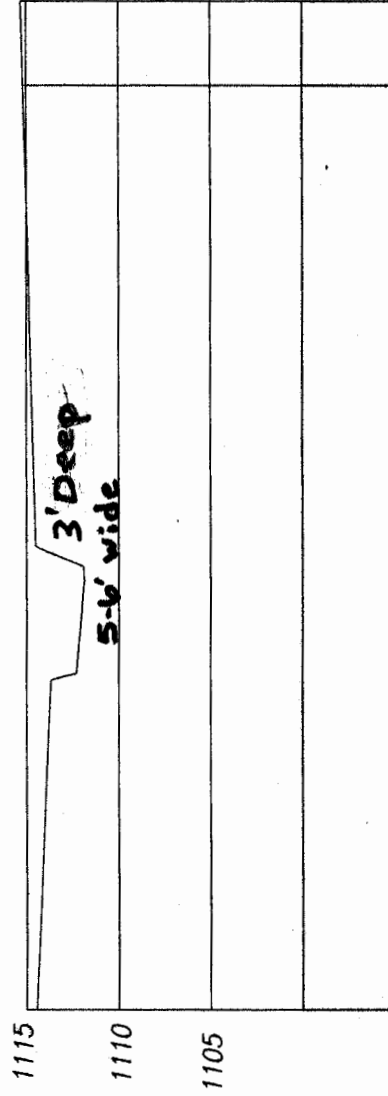


MACTEC Engineering and Consulting, Inc.
1725 Landon Drive
Knoxville, Tennessee 37921-2204
865-588-8544 • Fax: 865-588-8025

SOURCE: THIS DRAWING WAS MODIFIED FROM A EROSION & SEDIMENT CONTROL PLAN PROVIDED BY CANNON AND CANNON, INC.

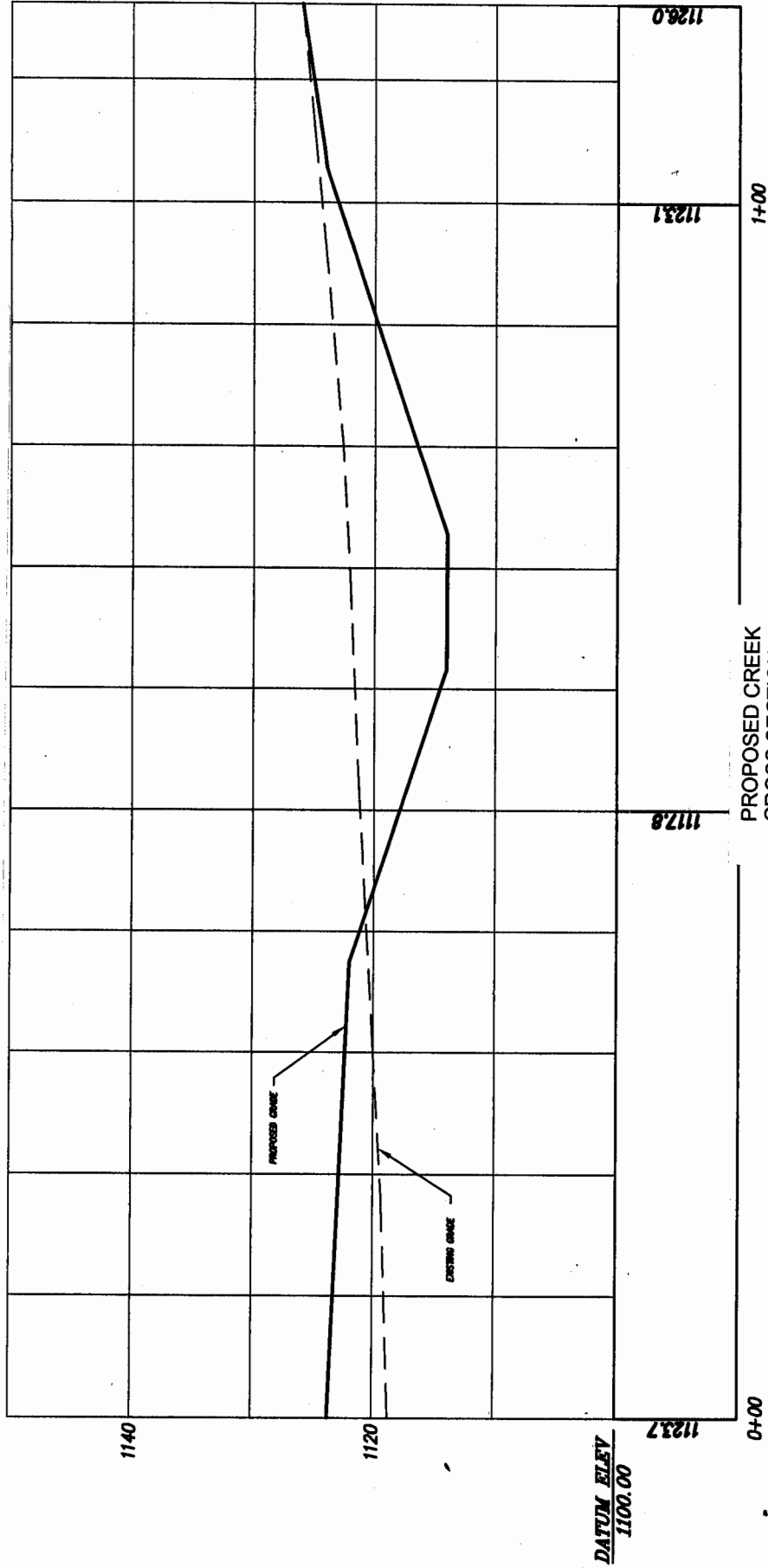
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EXISTING CREEK
CROSS SECTION A

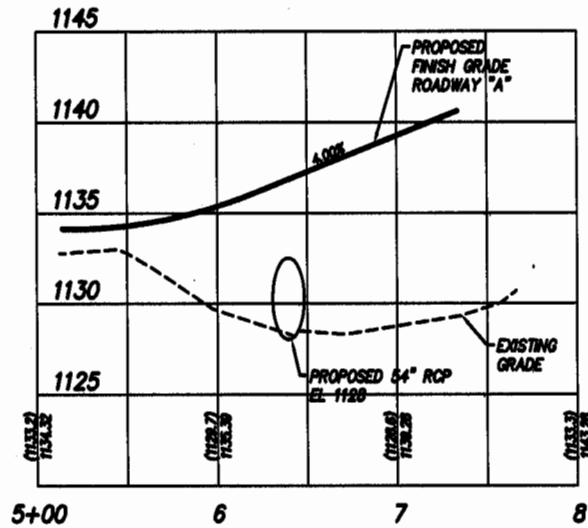
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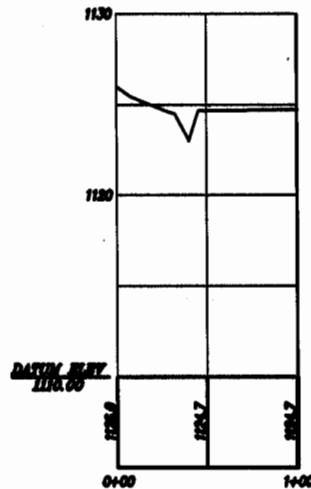
PROPOSED CREEK
CROSS SECTION B

CROSS SECTION TAKEN APPROXIMATELY 100' SOUTH OF
WHERE "A" CROSSING OF EXISTING RETAINMENT AREA.

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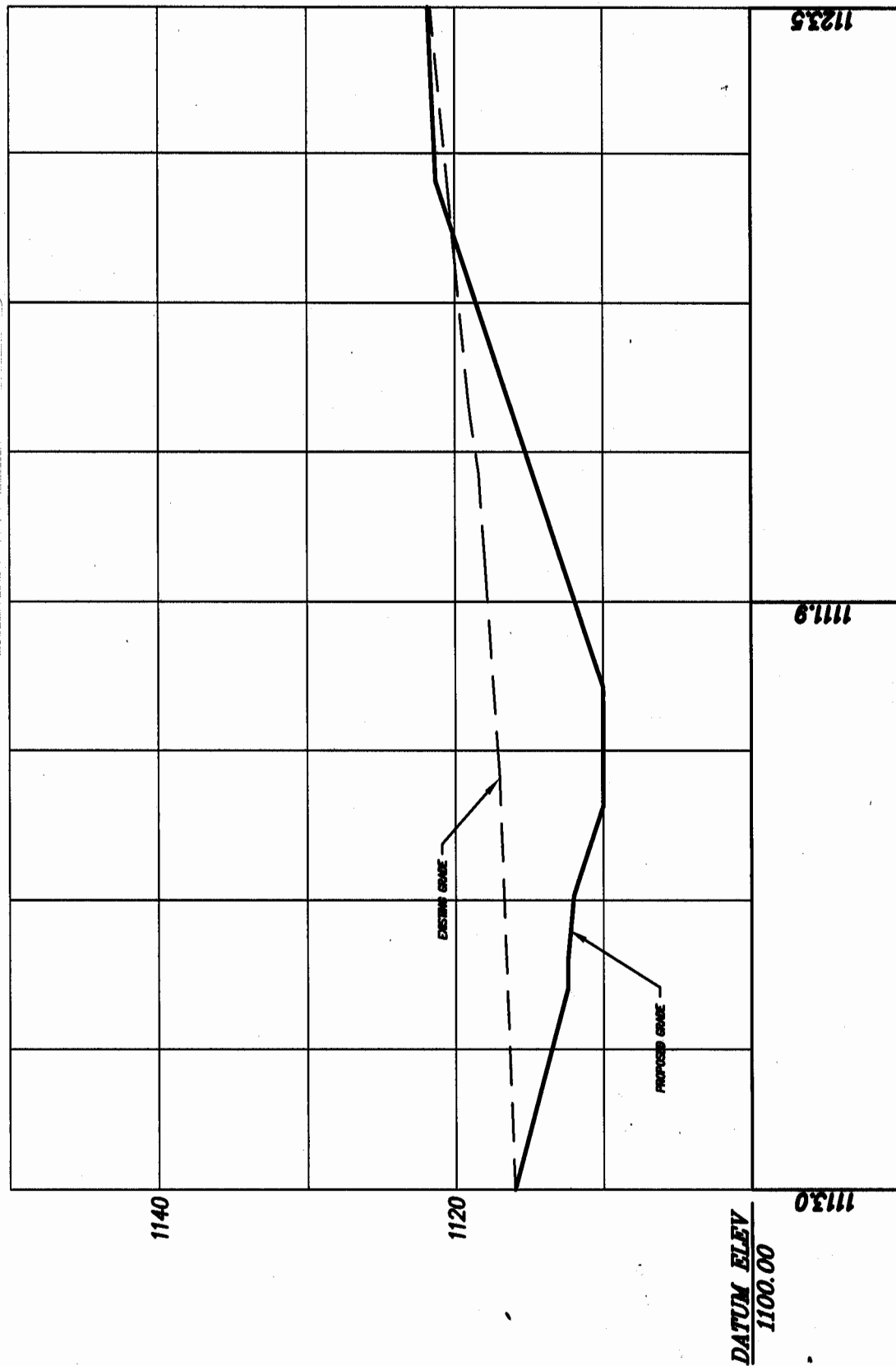


TRIBUTARY/WETLAND CROSSING PROFILE D1



EXISTING WET LAND
 CROSS SECTION "C"

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 GRAVESTON, TENNESSEE QUAD



PROPOSED CREEK
 CROSS SECTION E

CROSS SECTION TAKEN APPROXIMATELY 150' SOUTH OF
 BRIDGE "A" CROSSING OF EXISTING WETLAND AREA